

Judge: Alston
 Reporter: R. Stonestreet

SENTENCING

Date: 8/30/2023
 Time: 11:15 to 12:45

Cr. # 1:22CR00122-001 AUSA: Edward Sullivan, Heidi Gesch
 U.S. v. Julio R. Sotomayor Defense: Jonathan York, John Pease

Testimony heard from the son and wife of the defendant.

Defendant's objection to the Probation Office's application of a 4-level enhancement for the involvement of a public official in a high-level decision-making or sensitive position - argued; The Court finds that this 4-level increase is not appropriate.

Considering the parties stipulation to an 8-level loss amount, the Court finds the guidelines to be properly assessed at a range of 30 to 37 months.

Defendant's Motion for Downward Departure and Variance – Granted.

6 Months imprisonment, with 24 months home confinement, to be
 a condition of defendant's supervised release

3 Years supervised release

Conditions of Supervised Release:

- (1) Defendant shall apply all monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains, to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the court, upon the recommendation of the probation officer.
- (2) Defendant shall provide the probation officer access to any requested personal or business-related financial information.
- (3) Defendant shall not open any new lines of credit or bank accounts without the advance approval of the probation office.
- (4) Defendant shall notify all current and future employers/clients of the offense of conviction and provide written verification as directed by the probation office.
- (5) Defendant shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by Defendant as directed by the probation officer.
- (6) Defendant shall not use marijuana or cannabis in any form.
- (7) Defendant shall serve a term of TWENTY-FOUR (24) MONTHS home confinement, as directed by the probation officer.

Monetary penalties:

\$100.00 Assessment \$0 Fine
 \$405,000.00 Restitution Ordered pursuant to the Restitution Order entered and filed in open court.

Consent order of Forfeiture entered and filed in open court.

Defense counsel requested that the defendant be designated to a facility as close as possible to

the Northern Virginia area. Counsel to submit a specific facility recommendation to the Court.

Deft's Motion to Voluntarily Surrender – Granted, Deft to voluntarily surrender on 1/2/2024.